

BOOK REVIEWS

Bielefield, Arlene, and Cheeseman, Lawrence. **Technology and Copyright Law: A Guidebook for the Library, Research, and Teaching Professions.** 2nd edition. New York, NY: Neal-Schuman Publishers, 2007. 253 p. \$65.00. ISBN: 978-1-55570-570-7. ©

Copyright is an issue that has remained on the leading edge of information because of the amount currently available. The Internet, distance education, and continuing emergence of new technologies are only a few examples of influences causing librarians and educators to be wary about copyright matters. Copyright is further complicated by legal verbiage that perplexes many. So where does a practicing librarian, educator, or promising researcher look for copyright information? The second edition of Bielefield and Cheeseman's *Technology and Copyright Law* is a good start. This new edition is well worth reading, whether one is new to copyright or broadening one's knowledge of the topic.

Bielefield is an attorney with a master of library science degree, and coauthor Cheeseman is a practicing law librarian. Both authors have a strong background in copyright issues and intellectual property. They have drawn on their mutual experience and knowledge to prepare a text that is both readable and practical, no small feat considering the complexity of the topic.

The second edition incorporates valuable changes. The preface provides an informative overview of the book's content. Each chapter opens with a note explaining what information has been added following the first edition. Questions are presented that can be answered by the chapter's end. Unique to this edition are real world questions and scenarios at the end of each chapter reinforcing the practical application of this text. The "Notes" section concluding each chapter supports the credibility of the information presented.

The book is divided into four parts, each building on the previous section. Part I presents "Copyright Law: Past, Present, and Fu-

ture." The history of copyright legislation in the United States is thoroughly addressed and succinctly illustrated by including tables highlighting the "chronology of events." The future of copyright discussion focuses on intellectual property rights and fair use.

Part II, "Copyright in Libraries and Classrooms," is filled with many practical examples and discussions that apply to the educational arena. The chapters on fair use will especially benefit educators who must decide if they are using materials fairly. Court cases establishing the defense of fair use in a court of law are presented throughout the chapter. The fair use checklist offers a series of questions enabling the reader to weigh the factors of fair use. New to this edition is the chapter on the blind and physically disabled. With more people with special needs using libraries and pursuing higher education degrees, addressing their needs is vitally important. The chapter, "Limitations on Exclusive Rights: Reproduction for the Blind or Other People with Disabilities," includes recent amendments related to this issue.

Librarians who are involved in license agreements and contracts will find the chapter, "Contracts and Copyright: Paths that Cross," helpful. The authors state their purpose in this chapter "is to clarify a number of aspects of contractual agreements whether they are called contracts, licenses, agreements, or something else" (p. 147). Bielefield and Cheeseman more than accomplish this purpose with a solid presentation of the basic facts and links to quality Websites for more information. Their checklist of questions to ask when reviewing a contract will be very useful to the librarian without readily accessible legal counsel.

The authors strive to explain the complexity of copyright law in relation to distance education in part III. Those trying to understand the difference between section 107 (fair use) and the TEACH Act, legislated November 2, 2002, will find this new chapter worth reading. The approach of presenting sections of

the law followed by the authors' interpretation leads to a better understanding of the uncertainty of using copyrighted materials in distance education. "Twelve Common Misconceptions about Copyright" conclude this section and serve to explain the difference between copyright and plagiarism in relation to commonly occurring misconceptions.

Part IV provides a variety of material, including a glossary of copyright terms and phrases. The authors encourage readers to "think of this dictionary as a road map toward gaining understanding" (p. x). This reviewer believes the entire text provides a road map for better understanding of the complexities surrounding copyright. Many librarians and educators shy away from reading about this topic simply because of the ambiguity and intricacy of the topic. Bielefield and Cheeseman have provided a practical guidebook on the complexities of copyright and licensing in their second edition. It is a valuable contribution to the professional literature and worth adding to a library collection.

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Brophy, Peter. **Measuring Library Performance: Principles and Techniques**. London, UK: Facet Publishing, 2006. 242 p. \$79.57 (£39.95). ISBN: 978-1-85604-593-5.

Organizations of all kinds are regularly called on to provide evidence of their effectiveness by measuring performance. Libraries and other information agencies are no exception. The motivations for performance measurement in libraries may have evolved over time (particularly as new services are offered, and newer—e.g., electronic—resources are made available), but increasingly libraries must demonstrate their worth for things that sometimes elude simple quantification. Identifying and properly utilizing the tools and essential frameworks and principles needed for collecting, analyzing, and presenting such information can be difficult and elusive. Moreover, the risks of losing resources or having decisions made by others outside the library mean professionals must develop the foundational skills of determining which of a variety of factors should be measured and how.

In *Measuring Library Performance: Principles and Techniques*, Brophy presents a thoroughly researched and exceptionally clear and well-organized guide on this topic. The book could be useful to professional librarians, students in library and information science programs, and researchers in library and information science. While this book was not written to directly address those performance measurement issues unique to medical or hospital libraries (or other health information agencies), it presents a breadth of topics, issues, and key techniques applicable to multiple library contexts. As such, it could serve both as a reference to professionals or an introductory guide for librarians seeking to learn more about performance measurement.

Brophy is a professor of information management at Manchester Metropolitan University and is the director of the Centre for Research in Library and Information Management. While there is a hefty

body of interdisciplinary research on performance measurement and assessment (which obviously varies in focus), Brophy is solidly placed in this literature and brings a strong background and expertise to this book. His other works in this area demonstrate his authority on the topic, and he brings a clear understanding of libraries and the related inherent complexities of performance measurement.

As Brophy notes early on, "Performance measurement is central to library management, since without a firm grasp on what is actually being achieved it is impossible to move forward to improved service—or even to maintain the status quo" (p. 1). This fourteen-chapter book provides readers with discussions and examples from a range of issues in this complex area, providing essential background, key principles, and methods for deriving the necessary information. It is also worth noting that the complete coverage of agencies, associations, issues, standards, etc., that Brophy presents are from both the British and US perspectives. The introductory chapter sets the tone by describing the context, offering key definitions, and providing a concise review of other works. A variety of different topics is addressed throughout the book, from user satisfaction and the impact of services on users to processes and outputs. The chapters build logically on one another but are written in such a way that a topic could be read independently or referred to when needed. The chapters are relatively short considering the complexity of some of the topics and are generally not long-winded. They are presented with multiple bold subtitles, useful in helping readers find information quickly. Moreover, the key resources listed at the end of each chapter are an additional convenience for both the practitioner and researcher.

The three appendixes are a wonderful feature of this book. The first, "Data Collection Methods," is another demonstration of Brophy's ability to concisely yet cogently outline the key issues in collecting

data, including sampling, survey construction, interviews, etc. That both quantitative and qualitative methods are discussed is important, because these different methodologies are commonly confused, but Brophy's discussion and examples help clarify some of the differences. The samples, especially if used in conjunction with the information from other parts of the book, offer clear guidance to help one decide on which methods might be most appropriate to different contexts. The other two appendixes build on the first: appendix 2 focuses on analyzing the collected data, and appendix 3 offers some basic ideas on the presentation of results. Each appendix, as with the chapters, provides a list of key resources for further reference.

Performance measurement in libraries may be required or motivated by bodies outside the organization (for instance, as part of accreditation by the Joint Commission on Accreditation of Healthcare Organizations), as part of self-examination of the effectiveness of current services, or perhaps as justification for an increase in resources. As noted, there is no dearth of literature that the librarian can turn to regarding measuring the performance of a range of services, from outreach services to electronic resources and related services. However, the breadth of issues that Brophy presents in his book, particularly given the way he has chosen to organize these, would serve as an excellent foundation to guide these activities.

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Forde, Helen. **Preserving Archives.** London, UK: Facet Publishing, 2007. (Principles and Practice in Records Management and Archives, Geoffrey Yeo, series ed.). 320 p. \$99.95. ISBN: 978-1-85604-577-3.

Forde has an impressive background and extensive experience in preservation management. As a faculty member at the School of Library, Archive and Information Studies at the University College London with a primary interest in archive preservation, Forde uses the content from her lectures as a basis for this publication. Forde is the former head of Preservation Services at the UK Public Record Office (now the National Archives) in London and a nationally and internationally known speaker on preservation topics. She has written numerous publications on preservation and offers an extensive bibliography of works on preservation management at her Website <<http://www.ucl.ac.uk/slais/helen-forde/bibliography/>>.

Preserving Archives is part of the series, *Principles and Practice in Records Management and Archives*, edited by Yeo. Yeo indicates that archives and records management are essential because they "extend and corroborate human and corporate memory and play a critical role in maintaining awareness of how the present is shaped by the past" (p. xi). The management of records and archives is a distinctive discipline with its own body of knowledge. Archives include documents, materials, items, or information of long-term value that need to be preserved. This volume of the series focuses on an applied practical introduction, presenting the intricacies and importance of preservation management.

Forde describes *Preserving Archives* as a guide for archivists, librarians, and museum curators who are confronted with difficult decisions about setting up preservation management policies and procedures. While the chapters are relational, each can be referenced as a separate entity. *Preserving Archives* is written from a UK per-

spective, highlighting UK examples, resources, and legislation. That said, extensive interpretation is not an acute problem because preservation is a universal issue and the book has detailed information focusing on the "how to" of archives management. However, reference to US legislation and practice is extremely limited and may concern some readers.

Preserving Archives comprises fourteen chapters all with similar format: an introduction to a topic followed by a series of questions and discussions related to the topic, a brief summary, and concluding notes and references. The end of the book has several appendixes: a bibliography, a listing of British and international standards related to archive preservation, a list of professional organizations focusing on archive preservation, and an index.

Each chapter creates a foundation for the next, serving as a good progression for an overall understanding of the subject. Early in the publication, Forde stresses the importance of preserving archiving materials for accessibility by future researchers. Forde equates preservation and access as two parts of the same mission: without preservation, sustained access would not be available. She also notes the distinction between preservation and conservation. Preservation is an overall term used to identify the management of archival materials. Conservation is more specific, the "intervention activity to stabilize the condition of a document" (p. 2).

Preserving Archives examines the properties and characteristics of archival materials from parchment and the ink used to print documents to newer electronic formats. Once the reader understands the specific characteristics of archival materials, an appreciation of the complexities and issues involved becomes easier to grasp. An entire chapter is devoted to managing digital information because it differs significantly from traditional preservation. Among the most obvious differences is that digital information may be in a format that does not survive over time or retain

its ability to be retrieved and/or read.

Chapters 4 to 7 focus on the environmental issues related to archives and records management. Planning a building, either a new one or one repurposed to house archival materials, requires extensive forethought and is considered the first level of archival protection. Issues to be considered include location of the building (which should not be near water, hazardous materials, military installations, and pollutants), site construction, storage areas, public access spaces, and staff work areas. Once the building is constructed, the archivist needs to be sure that the contents are maintained at controlled levels of temperature, light, humidity, and pollution. Additionally, the collection needs to be safeguarded from unexpected risks like fire, water, and pest infestation. Should there be a disaster, a well-defined plan needs to be in place so staff can react quickly to decrease material damage.

The remaining chapters, 8 to 13, address management of the materials themselves, focusing on conserving, moving, exhibiting, and handling records. In all these instances, care and training is required to make sure that risk to the collection is minimal and damage to records does not occur. Access to archival material traditionally has been via reproducing original documents by photocopying. However, new technology has changed the environment, and alternative methods are being considered for future reproduction and dissemination.

Forde brings to the forefront the importance for organizations of developing well-thought-out plans and policies to manage archival materials. Archive preservation is gaining as interest in and publications on traditional and nontraditional archive management begin to appear with some frequency. Another fairly new publication on preservation with similar content is "Preservation Management for Libraries, Archives and Museums" (2006), edited by Gorman. In addition, the US National Archives and Records Administration Web-

site <<http://www.archives.gov>> also offers a series of publications on archive theory and practice that provides insight into archive management. ArchivesBlogs <<http://www.archivesblogs.com>>, a syndicated collection of blogs by and for archivists, is another place to obtain information.

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Gasaway, Laura N. **Get Copyright Right: A Collection of Copyright Corner Columns from SLA's Information Outlook, Updated for 2006.** Alexandria, VA: Special Libraries Association, 2006. 146 p. \$29.95. ISBN: 978-0-87111555-7.

Copyright is one of those complex and difficult areas where librarians must make a conscious effort to stay current in their reading. While the basics change only rarely as new law is written or significant cases are tested in the courts, more commonly librarians need to interpret existing law and its assumptions in light of new technological developments appearing in libraries. When Gasaway coauthored her comprehensive text on the subject in 1994 [1], she explained fair use, the "rule of five," and the other basics of library copyright law. That volume was the standard copyright reference for many health sciences and special libraries in the 1990s. She authored an updated title in 1997 to address new copyright issues regarding electronic resources [2].

Ten years later, new copyright is-

ssues are not explained in either work. Today, the ease of sharing copyrighted material via such technological innovations as electronic reserves, institutional repositories, and course management software makes unintentional and uninformed infringement of the law all too easy. Librarians have to be vigilant to protect the rights of authorship in this electronic environment, and this requires keeping one's copyright knowledge updated.

Both lawyer and librarian, Gasaway is a knowledgeable author and professor of library law. At the University of North Carolina where she is the director of the Kathrine R. Everett Law Library, she also teaches courses on copyright law, cyberspace law, and intellectual property. Her special talent as an author is her highly readable writing style that makes a difficult topic understandable. She speaks plainly in the language of librarians, and she focuses on the practical issues of concern.

This small volume lacks the comprehensive nature of Gasaway's 1994 work, but the short current topical reviews provide engaging reading. Each chapter represents a case study on a specific topic, and the writing style is uncomplicated and readable. The book is a compilation of Gasaway's columns on library copyright issues that were originally published in the Special Library Association's (SLA's) *Information Outlook* between 1998 and 2004. Of seventy-four columns published during that time, she selected thirty for this book. Each is labeled with its original title and date of publication, but the author has updated them to incorporate relevant changes in the law since their original publication dates. The columns are organized into subject

groupings covering issues regarding the public domain, preservation and archives, corporate libraries, and academic libraries. Other groupings focus on general copyright issues and significant cases. Each column/chapter cites specific cases, providing examples of how the courts have interpreted copyright law with regard to issues such as making back-up copies of DVDs or sharing subscription newsletters via corporate intranets. Although many case names are cited in the titles of individual columns/chapters, the lack of an index limits the title's value as a reference tool for legal research. Instead, it will be used for more casual reading.

The continuing need for current information on library copyright is evident. In her review of Gasaway's 1994 text, McClure said it well, "Copyright is not going away, and it is not going to become easier" [3]. Staying informed and educated about copyright is a necessity for today's librarians, and this new title from Gasaway is recommended reading.

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